



Three-Part Telephone & E-mail Seminar:  
Latest in Nurse Immigration (In Cooperation With CGFNS)

Speakers: Donna Richardson, Silvia Boecker, MaryLu Cianciolo, Joseph P. Curran, James R. Mayock, Sherry L. Neal, Patrick J. Page, Peggy Simpson, Amos Sydnor, and Robert Watkins.

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*Disclaimer: participation in this seminar does not create an attorney-client relationship with the speakers.*

**Seminar Outline**

**FIRST Phone Session on Jan 26, 2006: DOL & DHS Issues**

- PERM: What are the requirements? Is the PERM system working? Is the Dept. of Labor meeting the estimated processing times?
- RETROGRESSION: Who is affected? What's the impact on cases? How long will retrogression last? Is there hope for a legislative solution to retrogression?
- SCHEDULE A: who qualifies? What documentation is required?
- LICENSURE AND CREDENTIALING: What's the difference between professional licensure and visa certification? Which occupations require Section 343 certification? When does a foreign national need a section 343 certification?
- WORKING WITH NEW REQUIREMENTS: What's required with the "in-house" media posting? How can one challenge prevailing wages? How to meet the filing deadlines before prevailing wage determinations expires?
- STAFFING COMPANIES: How to address ability to pay issues? What is necessary to show "permanent" nature of the job? Where to place the internal posting for "roving employees"?

**SECOND Phone Session on Feb 16, 2006: Non-Nurse Occupations**

- IMMIGRATION OPTIONS: Which occupations qualify for schedule A? Which occupations qualify for H-1b? Which occupations qualify for TN under NAFTA?
- LICENSURE AND VISA CREDENTIALING: Which occupations require a license? Which occupations require section 343 healthcare certificate? At what point in the immigration process is a license required? At what point in the immigration process is a healthcare certificate required?
- DEFINING THE OCCUPATION: What is meant by "professional nurse" for Schedule A purposes? What constitutes a clinical laboratory scientist? What's the difference between medical technologist and medical technician? Can a foreign educated physician qualify for an occupational visa?
- DEALING WITH DEADLINES AND LIMITS: What's the status on the H-1b cap? Which employers are exempt from the H-1b cap? Which foreign nationals are exempt from the H-1b cap? Who is affected by visa retrogression? What alternatives are available for those affected by visa retrogression?

**THIRD Phone Session on Mar 9, 2006: Consular Issues**

- UPDATES ABOUT CHENNAI AND MANILA CONSULATES
- PREPARING FOR THE INTERVIEW: What documentation is required? Does the foreign national need a current letter from the employer? What to do when the consulate is asking for the wage the foreign national will be paid during the time the foreign national enters the U.S. but before licensed?
- CHANGES DURING THE APPLICATION PROCESS: How to add new family members (a recent spouse or new baby) to the process after the interview has been scheduled? How to change consulates in case of relocation to another country?
- EXPEDITING THE INTERVIEW: Is there any way to get an earlier interview date? What happens if a child is turning 21 years old before the interview date?

**Signup**

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**SELECT YOUR DATES**

[ ] Jan 26 CD      [ ] Feb 16 CD      [ ] Mar 9 CD      2.00pm to 3.30pm ET (11.00am to 12.30pm PT)

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(→ see next page for speaker bios)



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### About the Speakers

**Donna Richardson** was former CGFNS Director of Advocacy and Quality Assurance has assumed the position of Director of the new Governmental Affairs and Professional Standards Department, monitors and tracks legislative and regulatory actions at the state and federal level affecting internationally educated health professionals as well as professional standards of education. Ms. Richardson oversees, coordinates and interacts with the state boards of licensure for the nine professions for which CGFNS has been approved to certify for occupational visas. In addition, she is the liaison with the Departments of Homeland Security, Citizenship and Immigration Service; State; Labor; and Health and Human Services on matters related to the migration, recruitment and employment of health care professionals educated outside the US. She is also responsible for the coordination of professional standards development for the registered nurses and the allied health care professions for which CGFNS does credentials evaluation and verification.

**Sylvia Boecker** an attorney in private practice in Virginia, has served as Chair of AILA's Greater Chicago Chapter and as President of the Chicago Bar Association Committee on Immigration Law. She is the author of many articles on immigration issues for nurses. She has degrees in Latin American Studies from the University of Denver and in Spanish from Oberlin College, and a J.D. from DePaul University. Ms. Boecker served as a Peace Corps Volunteer in the Philippines

**MaryLu Cianciolo** received her undergraduate degree at University of Denver, Denver, Colorado, her law degree from Valparaiso, University and her Masters of Business Administration from University of Chicago, Chicago, Illinois She is admitted to practice law in Illinois, New York, and Northern District of Illinois. In addition to her law practice which focuses on assisting the Rehabilitation with reimbursement matters as well as Immigration. She is a principal with Therapy Team Educational Services where she is the instructor for the Legal, Scope of Practice and Ethics sections of their course preparing physical therapy graduates for the NPTE and NPTAE.

**Joseph P. Curran** has been exclusively involved in the practice of immigration and nationality law since 1985, with experience representing clients in all aspects of this area of law. He has served as counsel to numerous individuals, major corporations, universities, hospital groups and research institutions, specializing in immigration issues impacting the health care communities in the New England area. In 2003, he founded Kennedy Healthcare Recruiting with the goal of setting new standards in recruiting foreign nurses, insuring that both nurses and sponsoring health care facilities are provided with expert legal advice throughout the recruitment procedures. He has been an active member of the American Immigration Lawyers Association since 1985, and frequently lectures on immigration law to health care groups and academic institutions in the New England area. Mr. Curran is also a member of the American Health Lawyers Association and the Labor and Employment Substantive law Committee.

**James R. Mayock** is the Managing Partner of the San Francisco office of Elliot & Mayock LLP. The firm practices the full range of immigration law exclusively. Mr. Elliot leads E&M's East Coast office in Washington, DC. Jim specializes in visas and Green Cards for healthcare professionals. E&M represents both healthcare systems and recruitment organizations across the United States. Ongoing relations with all four CIS Regional Service centers, and with State's National Visa Center, permit the firm to keep its finger on the pulse of government processing nationwide. Jim has an extensive history of facilitating U.S. visa issuance abroad, having resolved problem cases at over forty U.S. consular posts throughout Asia, Latin America and Europe. He enjoys a relationship of over 20 years with the U.S. Embassy in the Philippines, where he has participated in numerous non-immigrant and immigrant visa interviews. On behalf of one of E&M's recruitment organizations, Jim was instrumental in setting up that firm's Manila RN immigrant visa preparation program, and training its personnel. A member of the State Bar of California since 1978, Jim Mayock is certified by the Bar as a specialist in Immigration Law. Jim has served as California Service Center Liaison for the American Immigration Lawyers Association [AILA]. He is also an active member of ASHHRA and NAHCR. In 1975, Jim Mayock was awarded a B.A. in Philosophy by the University of Toronto. He obtained a J.D. from Indiana University, Bloomington, in 1978. He studied and worked in international business for three years in South America, and is fluent in Spanish.

**Sherry L. Neal** is a Partner in the Cincinnati, Ohio office of Hammond Law Group. She has been practicing immigration law for more than ten years. She represents corporations, staffing companies and universities throughout the U.S. on employment-based immigration cases. She is the Chair of the Ohio Chapter of the American Immigration Lawyers Association and member of the national Healthcare Committee (non-physicians) of AILA, and co-founder of the Foreign Nurse Taskforce/Coalition for Improved Healthcare Staffing which was instrumental in getting legislation passed for an additional 50,000 visas for Schedule A occupations. Ms. Neal is a frequent speaker and author on employment immigration law. Her articles have appeared in national and international publications such as Talent Economy, Irish Nurse, Immigration Law Today, International Journal of Nursing Practice, Business Courier as well as the recent PERM Book published by ILW.COM. She can be reached at [sln@hammondlawfirm.com](mailto:sln@hammondlawfirm.com)

**Frank Novak** is a Partner in the firm of Harter, Secrest & Emery LLP, with a practice focused on employment-based immigration including health care, biotechnology, multinational companies, and university medical research. He has regularly spoken at American Immigration Lawyers Association (AILA) annual national conferences, and he has also served on national AILA committees preparing comments on proposed Citizenship and Immigration Services and Department of Labor regulations affecting immigration requirements.

**Patrick J. Page** is CEO and President of St. John's Health Network and his own law practice, offering full recruitment and immigration management of foreign-born health professionals for U.S. employers. Within three months of the U.S. government formalizing visa screen certificate requirements for foreign-born allied health professionals in 1999, Pat was on the ground overseas conducting interviews on behalf of U.S. employers. Pat's experience includes designing and implementing foreign recruitment programs to meet specific employer needs. In 2004, Pat and his team helped more than 250 foreign-born nurses recover their nearly failed immigration process with 16 U.S. employers when their recruiter (one of the largest in the nation) became insolvent. In 2004 and 2005, more than 12 percent of Filipino nurses emigrating to the U.S. came through Pat's offices. Overall, the cases for nearly 1,000 foreign-born nurses working in the U.S. have been managed by his companies. Pat's professional focus is the development of strong operational practices that promote transparency and accountability for recruits and their prospective employers, as well as investment back into source countries to promote development of global health care infrastructure. Pat regularly presents on foreign recruitment and immigration, including at the



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2006 National Health Policy Conference. Prior to working independently, Pat practiced tax, securities and international law as an associate at Popham, Haik, Schnobrich & Kaufman as well as at the law firm of Hinshaw & Culbertson. Pat holds a law degree from the William Mitchell College of Law. He has been admitted to the bar for the State of Minnesota and for the Eighth Circuit U.S. Court of Appeals.

**Peggy Simpson** is Administrative Director of Laboratories at Danville Regional Medical Center.

**Amos Sydnor** is the Manager of the Visa Screen Programs at CGFNS.

**Robert Watkins** is Assistant Director of Admissions at University of Texas at Austin and a former member of CGFNS PT Standards committee. He also reviews PTs for Texas. He has been a member of NAFSA since 1983, frequently presenting on international topics and in latter years been involved in leadership activities within the association. From 1993-Present, Member of the CGFNS (Commission on Graduates of Foreign Nursing Schools) Physical Therapy Standards Committee for purposes of Visa screen under the 1996 IIRAIRA Act; From 1999-Present, Member of the CGFNS Speech Pathology Standards Committee; From 2005-Present, Member-at-Large CGFNS Board of Trustees; From 2000-Present, Member and Chair of NCAA Foreign Student Records Committee.